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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1783 (2007) of 31 October 2007, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2008. In that resolution, the Council requested the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period. The present report covers developments since the issuance of my report dated 19 October 2007 (S/2007/619) on the situation concerning Western Sahara and my report dated 25 January 2008 (S/2008/45) on the status and progress of the negotiations on Western Sahara.

II. Recent developments in Western Sahara

2. On 6 November 2007, in a speech to mark the thirty-second anniversary of Morocco's "Green March" into Western Sahara, King Mohammed VI of Morocco stated that the Kingdom would spare no effort to ensure the success of the negotiations within the framework of the Kingdom's sovereignty and territorial integrity.

3. The Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) held its twelfth congress in Tifariti, some 70 kilometres east of the berm, from 14 to 18 December 2007. The party's leadership discussed policy options, including a possible return to armed conflict. Tensions mounted in the period leading up to the congress, with Morocco objecting to the congress being held in Tifariti. In this regard, I received a letter dated 6 December 2007 from the Permanent Representative of Morocco to the United Nations (S/2007/714) and another dated 12 December 2007 from the Minister for Foreign Affairs and Cooperation of Morocco (S/2007/731, annex), each alleging violations of the terms of the military agreements brokered in 1991.

4. On 17 February 2008, elections were organized by the Frente Polisario in the Western Saharan refugee camps near Tindouf, Algeria, for a new "Saharan parliament". The "parliament" held its inaugural meetings as part of the official celebrations held by the Frente Polisario in Tifariti on 27 February to mark the thirty-second anniversary of the proclamation of the "Saharan Arab Democratic

Republic". Morocco voiced strong objections to these events taking place in Tifariti and to some construction taking place there, claiming that the Frente Polisario was breaching the terms of the military agreements by these actions. On 3 March 2008, in a meeting with the Force Commander of MINURSO, the Moroccan military threatened action by "adequate means", including "air strikes", to prevent further construction in the area of Tifariti. The Force Commander responded that these civilian activities were some 70 kilometres east of the berm, in the "area of limited restrictions", where such activities were not a violation of military agreement No. 1.

5. Adding to the tension, during the period from January to March 2008, the Association Sahara Marocain (ASM), a Moroccan-based non-governmental organization, planned to organize a "peace march" by civilians from Smara, west of the berm, to Tifariti, east of the berm. On 5 March 2008, ASM announced that the march had been postponed indefinitely.

6. From 18 February to 13 March, the Royal Moroccan Army undertook a series of pre-scheduled military training exercises in the vicinity of Awsard, involving some 1,200 troops from its infantry, cavalry and artillery units already stationed within the Awsard subsector. MINURSO had been notified of these training exercises in October 2007; they were deemed to be in accordance with the provisions of military agreement No. 1. On 13 March, I received a letter from the Secretary-General of the Frente Polisario, Mohamed Abdelaziz, protesting the apparent provocation these military exercises entailed on the eve of the fourth round of negotiations in Manhasset, New York, to be held from 16 to 18 March 2008.

7. On 22 March, a group of international non-governmental organizations organized a demonstration on the eastern side of the berm in team site Bir Lahlou's area of operation to "express solidarity with the demands of the Saharan people". The demonstrators assembled in Rabouni, Algeria, and later proceeded by vehicle convoy to the place of the demonstration, some 700 metres from the berm, carrying flags and banners. MINURSO observed about 1,200 people at the assembly point and subsequently, a core group of 600 to 700 at the demonstration site in front of the berm. The event was closely monitored by MINURSO by air and ground patrols on both sides of the berm, in cooperation with both parties. Bir Lahlou team site was reinforced with additional military observers from Tifariti team site and maintained close contact with the Frente Polisario. Likewise, the Mahbas team site, west of the berm, liaised with the Royal Moroccan Army. MINURSO reminded the Frente Polisario and participants in the demonstration of the potential risk of minefields east of the berm. MINURSO remained on standby to provide medical assistance, if required. During the march, the Royal Moroccan Army informed the Force Commander that its forces had been instructed to monitor the situation. The demonstration passed without incident and proved to be an example of the good on-the-ground working relationship between MINURSO and the parties.

III. Activities of my Personal Envoy

A. Contacts with the parties and neighbouring States

8. During the reporting period, my Personal Envoy, Peter van Walsum, held consultations with the representatives of the two parties, Morocco and the Frente Polisario, with the representatives of the neighbouring countries, Algeria and

Mauritania, and with the representatives of other interested countries. In addition, he undertook a visit to the region from 5 to 15 February for in-depth consultations on ways to move the process of negotiations into a more intensive and substantive phase.

9. My Personal Envoy met in Rabat on 6 and 7 February with the Prime Minister, Abbes El Fassi, the Minister for Foreign Affairs and Cooperation, Taieb Fassi Fihri, the Minister of the Interior, Chakib Benmoussa, and other senior Government officials. In the Tindouf area, on 9 and 10 February, he met with the Secretary-General of the Frente Polisario, Mohamed Abdelaziz, and with the Frente Polisario Coordinator with MINURSO, M'Hamed Khadad, other senior Frente Polisario officials and traditional leaders (sheikhs). He also visited the refugee camp of El Aaiun.

10. Concerning the neighbouring countries, my Personal Envoy met in Algiers on 11 and 13 February with the Prime Minister, Abdelaziz Belkhadem, the Minister for Foreign Affairs, Mourad Medelci, the Minister of State for African Affairs, Abdelkader Messahel, and other senior Government officials. Furthermore, in Nouakchott, on 14 February, he was received by the President of Mauritania, Sidi Mohamed Ould Cheikh Abdellahi, and met with the Minister for Foreign Affairs and Cooperation, Mohamed Saleck Ould Mohamed Lemine, and other senior Government officials.

B. Status and progress of the negotiations

11. Pursuant to Security Council resolutions 1754 (2007) and 1783 (2007), the parties participated in the fourth round of negotiations held at the Greentree Estate, Manhasset, New York, from 16 to 18 March 2008, as opposed to the dates initially agreed (11-13 March). Algeria and Mauritania also attended as neighbouring countries. The parties held several sessions of face-to-face discussions, as well as separate meetings with my Personal Envoy. Representatives of the neighbouring countries, Algeria and Mauritania, were present at the opening and closing sessions and were consulted separately during the meeting.

12. During the opening session and subsequent discussions, the parties reiterated their commitment to the process of negotiations and to the implementation of Security Council resolutions 1754 (2007) and 1783 (2007). During the meeting, the parties engaged in a broad exchange of views on the implementation of the Security Council resolutions, and on the exercise of the principle of self-determination. In addition, the parties participated in discussions on thematic subjects related to administration, competencies and organs, as well as justice and resources, and replied to questions from my Personal Envoy concerning specific elements of the parties' respective proposals. At the initiative of my Personal Envoy, the parties were invited to consider strengthening the existing confidence-building measures, as well as a possible expansion of the existing programme. In reply, the delegation of the Frente Polisario indicated that it accepted all proposals made by my Personal Envoy, without exception. Regarding strengthening of the existing confidence-building measures, the parties finally agreed to explore the establishment of family visits by land route, in addition to the existing programme by air, which would increase the number of Western Saharans who could benefit from family visits. Further examination of the establishment of family visits by land will be carried out

by the parties within the framework of the Office of the United Nations High Commissioner for Refugees (UNHCR). Matters with regard to respect for human rights in the Territory as well as in the refugee camps in the Tindouf area were also raised by the parties.

13. In concluding the meeting, the parties agreed to the communiqué of my Personal Envoy, contained in annex I to the present report, and reiterated their commitment to continue the negotiations at Manhasset at a date to be determined by common agreement.

IV. Activities on the ground

A. Military

14. As at 31 March 2008, the military component of MINURSO stood at 216 personnel, including administrative and medical unit officers, against the authorized strength of 230. Since my last report, three additional women military observers have been deployed to MINURSO, two from Nigeria and one from France, bringing the total to five. I would welcome further deployments of women officers by troop-contributing countries, both for operational reasons and to improve the Mission's gender balance. During the period under review, six Brazilian Spanish-speaking military observers joined the Mission. This brings the number of Spanish-speaking military observers to 37, in addition to 32 Arabic-speaking and 15 French-speaking military observers currently deployed in MINURSO.

15. The overall situation in the area of responsibility remained generally calm. The military component of MINURSO continued to monitor the ceasefire, which has been effective since 6 September 1991, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO, on the other. The military agreements divide Western Sahara into five areas, including a five-kilometre-wide buffer strip east of the berm, two restricted areas (25 kilometres east and 30 kilometres west of the berm) and two areas of limited restriction that encompass the remainder of Western Sahara. Differing restrictions on military activities and personnel apply in these areas.

16. During the period from 1 October 2007 to 31 March 2008, MINURSO performed 4,042 ground patrols and 289 air patrols to visit units of the Royal Moroccan Army and the military forces of the Frente Polisario, and to monitor adherence to the military agreements.

17. MINURSO continued to enjoy good relations with both the Royal Moroccan Army and the Frente Polisario armed forces. However, both sides continued to abstain from dealing directly with each other. All known contact between the two armed forces took the form of meetings and written communications with MINURSO.

18. Violations of military agreement No. 1 by both parties have decreased since my last report (S/2007/619). MINURSO observed and recorded three new violations by the Royal Moroccan Army and 10 new violations by the military forces of the Frente Polisario. Violations by the Royal Moroccan Army included the construction of a new building without prior notification of MINURSO, the renovation of a

weapons system shelter without a previous request and a tactical reinforcement in one of the strong points. Violations by the Frente Polisario included the destruction of mines without prior notification on 16 November 2007, the presence of military personnel inside the buffer strip on 25 November 2007 and a tactical reinforcement in an observation post in the restricted area.

19. There has been no change in the status of long-standing violations by both sides since my last report to the Security Council (S/2007/619).

20. Since my report (see S/2007/619, para. 25), the Royal Moroccan Army has continued to report a large number of alleged violations of military agreement No. 1 by the Frente Polisario pertaining to the presence of people and vehicles in the buffer strip. In all, the Royal Moroccan Army reported 29 allegations during the reporting period, of which one related to shots fired, two to the demolition of mines and unexploded ordnance, and the remainder to the presence of Frente Polisario soldiers and vehicles, all inside the buffer strip. In response to allegations of civilian presence inside the buffer strip, the Force Commander has written to the commanding officer of the Royal Moroccan Army southern sector on a monthly basis clarifying that the provisions of the military agreements do not exclude civilian activities. Likewise, each MINURSO team site commander concerned has written a similar letter to his respective Royal Moroccan Army subsector commander. The incidence of such allegations raised by the Royal Moroccan Army has subsequently decreased.

21. During the reporting period, three allegations against the Royal Moroccan Army were submitted to MINURSO by the Frente Polisario. These allegations pertained to the presence of military aircraft flying over the area of Mehaires on 14 December 2007 and over the area of Tifariti on 26 January and 12 February 2008. Owing to insufficient information and the lack of technical aerial surveillance equipment, MINURSO could neither confirm nor refute these allegations.

22. Since my last report to the Council, MINURSO has reviewed the manner in which restrictions on the freedom of movement of MINURSO military observers are assessed to bring it more in line with the exact terms of military agreement No. 1. Following this review, in October 2007, MINURSO military observers began recording restrictions on their freedom to visit strong points and units as freedom-of-movement violations. This review has led to a constructive understanding between the parties and MINURSO on this issue. I am pleased to report that during the reporting period, three Frente Polisario military regions (military region 2 in Tifariti, military region 4 in Mehaires and military region 5 in Bir Lahlou) allowed MINURSO military observers full freedom of movement. In addition, military region 3 in Mijek has also, to a large extent, honoured its obligations in this regard, with only four freedom-of-movement violations being committed. The Frente Polisario has yet to grant full freedom of movement in the remaining two military regions (1 and 7, both in Agwanit). With regard to the Royal Moroccan Army, MINURSO continues to enjoy full freedom of movement in subsector Awsard. I am pleased to report that full freedom of movement has now also been granted in subsectors Smara and Mahbas. Restrictions remain in place in subsector Oum Dreyga. During the period since my last report (see S/2007/619, para. 27), from 1 October 2007 to 31 March 2008, MINURSO has recorded a significant decrease in the number of freedom-of-movement violations by both sides, with 139 such violations being recorded on the part of the Royal Moroccan Army and 33 on the

part of the Frente Polisario. I call upon both sides to continue this positive trend so that MINURSO can enjoy full freedom of movement in order to carry out its monitoring functions more effectively and in compliance with paragraph 4 of military agreement No. 1.

23. As previously reported (see S/2006/817, para. 29), MINURSO established a Geographic Information System (GIS) cell in June 2006 to enhance the Mission's operational effectiveness and the safety of its personnel. The GIS cell has undertaken several activities, including building a military geo-database, producing more accurate maps, updating road networks using Global Positioning System (GPS) technology, and training both military and civilian staff in the use of GPS units installed in United Nations vehicles. The cell has also updated and produced operational and thematic maps of critical areas for the Mission headquarters and of each team site's area of responsibility. The cell is performing field training for military officers in team sites and a GPS and GIS course for all civilian staff in Laayoune. The cell has also worked to enhance the navigational capacity and mapping skills of both civilian staff and military observers and continues to promote the use of GIS technology as a decision-making tool.

24. Since my last report to the Council, MINURSO has equipped two forward medical teams with portable satellite telephones. Five team sites have each been equipped with satellite telephones to enhance communication with these remote medical team sites. Plans are under way to install VHF repeaters in some team sites in order to improve communications during patrols.

25. In 2004, desert locust swarms invaded Western Sahara and efforts by the Food and Agriculture Organization of the United Nations (FAO) to monitor and control the movement of the swarms were impeded by circumstances on the ground. To ensure a more timely and comprehensive flow of information on locust activities in the region, FAO approached MINURSO in 2007 to request military observers at team sites east of the berm to provide locust information as part of their daily reporting. I am pleased to report that on 10 December 2007, MINURSO began to provide FAO with such information. The information is already proving beneficial to the work of FAO, providing a more comprehensive picture of locust activity in the region, at no cost to MINURSO. With the successful filling of this significant gap in desert locust early warning, infestations can be better forecast and mitigated in a timely manner.

B. Mine action

26. With regard to military agreements Nos. 2 and 3, both parties continued to extend their cooperation to MINURSO in the marking and disposal of mines, unexploded ordnance and expired ammunition. The threat of mines and explosive remnants of war in Western Sahara has been an important focus for MINURSO in recent months. The newly established Mine Action Coordination Centre is working to enhance information on mine contamination and response, raise the level of safety for United Nations personnel operating in the field and provide technical and material support for mine action programmes in Western Sahara. In particular, the Centre has focused on improving information coordination and mapping.

27. Owing in part to the vast expanse of Western Sahara, it has not been possible to obtain a comprehensive picture of the number of accidents related to mines and

explosive remnants of war in the Territory. However, information received by local authorities on both sides of the berm indicates that at least eight such accidents occurred in the Territory during 2007. During January and February 2008, there have been three reported accidents, with three fatalities. Since 1975, Moroccan authorities have registered at least 2,171 accidents caused by mines and explosive remnants of war.

28. As previously reported (S/2007/202, para. 22 and S/2007/619, para. 30), in January 2007 the Royal Moroccan Army launched a comprehensive mine clearance operation in Western Sahara. To date, the Royal Moroccan Army has reported that some 10,000 troops have been deployed in the demining effort west of the berm. During the reporting period, the Royal Moroccan Army reportedly cleared 128,000,000 square metres and destroyed 621 anti-personnel mines, 138 anti-tank mines and 473 large-calibre pieces of unexploded ordnances. The Royal Moroccan Army also reported that its efforts had been hampered by limited resources and the lack of information relating to areas contaminated by mines. Information regarding Moroccan mine-clearance operations is being shared on an ongoing basis with the Mine Action Coordination Centre. I am pleased to report close cooperation and information-sharing between MINURSO and the Royal Moroccan Army's demining operations. MINURSO military observers report unexploded ordnance found during their patrols, which are then removed by Royal Moroccan Army technicians.

29. Civilian authorities are working closely with the military on the identification of dangerous areas and are providing mine-risk education and victim assistance in local communities. I commend the efforts of the Royal Moroccan Army and civilian authorities, working with limited resources and available information in an immense territory.

30. Landmine Action, an international non-governmental organization based in the United Kingdom, has continued to make significant progress on surveys and clearance of mines and explosive remnants of war east of the berm. Also, as previously reported (S/2007/619, para. 33), Landmine Action is working closely with the Frente Polisario and with MINURSO mine action personnel in the field, generating significant information about areas at risk. As a result, 174 designated dangerous areas have been surveyed since the beginning of 2007, of which 55 were surveyed between October 2007 and the end of March 2008. The extent of cluster-munition contamination is increasingly evident as Landmine Action's work progresses. These types of munitions are responsible for many of the accidents, which are often fatalities, in Western Sahara. Notably, the first reported victim of explosive remnants of war in 2008 was a shepherd boy playing with a cluster bomblet.

31. In that sad context, I am pleased to report that between October 2007 and the end of March 2008, Landmine Action, in cooperation with the Frente Polisario, cleared 753,500 square metres primarily contaminated by cluster munitions, bringing the total area cleared since the beginning of the project to 899,962 square metres. During this reporting period, some 484 items of unexploded ordnance in high-priority areas have been destroyed.

32. Landmine Action's activities also include training residents to recognize explosive ordnance. Individuals are trained according to international standards to survey and mark dangerous areas and to clear and destroy explosive remnants of war. With two survey/clearance teams already operating, and in keeping with the

gender guidelines for mine action programmes, Landmine Action has taken action to ensure that women are included among those training a third team.

33. Landmine Action's activities have been funded mainly through the United Nations Mine Action Service and bilaterally by the Governments of Germany and Norway. I am grateful to donors for their support. However, in order to secure the continuation of this comprehensive mine action programme, additional donor funding has been requested for 2008. I call upon the donor community to contribute generously to the mine-clearance activities of Landmine Action, which are essential to providing a safe environment for the local population as well as for United Nations military and civilian personnel in Western Sahara.

C. Prisoners of war, other detainees and persons unaccounted for

34. The International Committee of the Red Cross continues to work with the concerned parties and families in pursuing the question of persons still unaccounted for in relation to the conflict.

D. Assistance to Western Saharan refugees

35. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) continued to provide humanitarian assistance to those Western Saharan refugees who were deemed most vulnerable in the refugee camps near Tindouf, Algeria. Through its care and maintenance projects, UNHCR provided complementary food rations such as fresh food, meat, tea and yeast. It has considerably upgraded the mechanic workshop of its implementing partner, the non-governmental organization Triangle, to be able to meet the increasing need for repairs to the transportation fleet that delivers rations to the refugees.

36. I am pleased to report that the planned improvement to the water-pipe network in Awsard camp, referred to in my previous report (S/2007/619, para. 40), is progressing. With funds provided by the European Commission Humanitarian Office (ECHO), UNHCR has implemented a pilot project for the extension of water-pipe networks in Daira Guerra, a district of Awsard camp, to ensure better quality and safer handling of piped water. It is intended that this project, if successful, will be extended to the remaining districts of Awsard camp.

37. The education sector continued to benefit from strong support from UNHCR through the provision of 41,860 books for the primary level, which represents 79 per cent of the overall need. Through its intervention, the only boarding school in the camps has been renovated. Funding from UNHCR enabled a local organization to run women's centres in the various camps, thereby enhancing training and building the capacity of refugee women. I am pleased to report that funding has now been secured for the establishment of a legal library under the custody of the refugees in Rabouni (see S/2007/619, para. 41).

38. WFP is finalizing a letter of understanding with the Government of Algeria for the distribution of food in the refugee camps. In addition to continuing the general food distribution, WFP plans to maintain its programme of providing supplementary rations to women of child-bearing age, malnourished children under five years old

and children going to school in order to address the serious problems of chronic malnutrition and anaemia among these particularly vulnerable groups of refugees.

39. In 2007, the food distribution pipeline faced some disruption due to lack of funding. Discussions are ongoing between WFP and ECHO for the reinstallation of the food security stock in Rabouni, liquidated in September 2006, to ensure continuity and the timely delivery of food rations to the Western Saharan refugees. I call upon donors to contribute generously to the assistance programme for Western Saharan refugees, including the replenishment of the food security stock, in order to make the living conditions of the refugees tolerable and to prevent further disruption of their food supply.

E. Confidence-building measures

40. The UNHCR-led confidence-building programme continues to be successfully implemented in close coordination with MINURSO and in cooperation with the parties concerned.

41. From the start of the programme in November 2004 to 28 March 2008, a total of 5,644 Western Saharans benefited from the exchange of family visits (1,582 families). Of the participating individuals, 55 per cent were women and 35 per cent were children under the age of 18; 2,686 travelled to the refugee camps near Tindouf and 2,958 travelled to cities in the Territory.

42. With the aim of increasing the number of beneficiaries, UNHCR in close coordination with the parties has completed a new round of registration. In conjunction with the registration process, UNHCR undertook a review of the lists of those persons who had already registered. As a result of the registration and review exercise, UNHCR has now recorded a total of 8,201 persons (1,625 families) from the Territory and 18,869 persons (2,869 families) from the refugee camps as being eligible to take part in the programme. I welcome this positive response from the people of Western Sahara, which indicates their strong commitment to the programme.

43. At the talks between the representatives of Morocco and the Frente Polisario at the Greentree Estate in Manhasset, New York, from 16 to 18 March 2008 (see paras. 11-13 above and annex I to the present report), the parties agreed to explore the establishment of family visits by land to complement the existing programme of transport by air. If land travel can be successfully organized, a significantly higher number of people should be able to undertake visits to meet their relatives from whom they have been separated for many years. I am pleased that the parties are open to this new approach and encourage them to work closely with UNHCR and MINURSO to bring about these land crossings in the near term so that more Western Saharans can participate in the family visits.

44. The free-of-charge telephone service between the refugee camps in Tindouf and the Territory is operating successfully. Since the service began in January 2004 until 31 March 2008, over 93,502 telephone calls were made, 60 per cent of which were placed by women. UNHCR, with support from MINURSO, has now procured the equipment necessary for the installation of a fifth telephone centre, in Dakhla camp, some 180 kilometres from Tindouf, and is negotiating with the Government of Algeria to secure permission to import the equipment into Algeria.

45. As explained in my previous report (S/2007/619, para. 46), in August 2007 UNHCR reached an agreement with the parties to organize the first seminar under the confidence-building programme. The seminar was to be held in November 2007 in Madeira, Portugal. I regret to report that on 6 November 2007, Morocco notified UNHCR that it was not in a position to accept either the principle or the opportuneness of the seminar. Other complementary measures are being explored.

46. MINURSO continues to play an important role in supporting the implementation of the programme of confidence-building measures. MINURSO provides aircraft, personnel and ground transportation for the programme, and United Nations police officers facilitate airport procedures at arrival and departure points and accompany UNHCR staff on their visits to beneficiaries. In addition, a doctor or a nurse from the Malaysian medical unit of MINURSO accompanies each flight. MINURSO also continues to provide critical logistical, security and administrative support to UNHCR.

47. The confidence-building programme depends entirely on funding from donors. Despite the positive momentum experienced in recent months, including the additions to the list of those registered to take part in the family visits and the agreement between the parties at Manhasset to explore the establishment of family visits by land, without additional funds the continuation of the programme at even its current level of activity is at risk. I am of the opinion that these confidence-building measures not only provide an opportunity for dialogue but also facilitate precious contacts between the separated families of Western Sahara. As such, I strongly urge the donor community to support this important humanitarian programme so that it can continue and expand during 2008 and beyond, as needed. Moreover, I urge the parties to continue to cooperate with UNHCR and to facilitate its activities on behalf of Western Saharans.

F. Irregular migrants

48. As stated in my last report to the Council (S/2007/619, para. 49), six migrants now remain under the care of the Frente Polisario in Bir Lahlou, including four migrants from Ghana and one each from Burkina Faso and Côte d'Ivoire. Following a request from five of them for assistance to return home, the International Organization for Migration has now obtained travel documents from the authorities of Burkina Faso and Ghana, and secured transit permits from the authorities of Mauritania, to facilitate the safe return of these migrants to their countries of origin.

G. Human rights

49. Since MINURSO does not have a specific human rights mandate, it has no staff dedicated to monitoring human rights in the Territory or at the refugee camps near Tindouf. The Office of the United Nations High Commissioner for Human Rights (OHCHR) is not integrated into the Mission's operations. Nonetheless, the United Nations recognizes its duty to uphold human rights standards in all its operations, including in Western Sahara, where both parties to the conflict often accuse the other, in the media and in communications with the United Nations, of human rights violations.

50. During the period under review, international non-governmental organizations concerned with human rights and other sources reported the alleged harassment and arrest of Western Saharan human rights and political activists, and pointed to incidents where the rights to freedom of expression, association and assembly appeared to have been compromised by Moroccan authorities in the Territory. Moreover, reports suggested that Western Saharan human rights defenders were subjected to judicial processes that fell short of international fair trial standards.

51. In this regard, Mohamed Abdelaziz, Secretary-General of the Frente Polisario, wrote to me twice in January, four times in March and twice in April 2008 to protest the arrests and alleged repression of Western Saharan human rights activists by Moroccan authorities throughout the Territory, and to petition the United Nations to broaden the mandate of MINURSO to include the protection and monitoring of human rights. My attention was also drawn to the fate of civilians who had allegedly disappeared and of unaccounted for prisoners of war, and to the situation of Western Saharan political prisoners being held in Morocco, some of whose health was reportedly deteriorating because they were engaging in hunger strikes. Mr. Abdelaziz advocated the publication by OHCHR of a report on the human rights situation in Western Sahara and in the refugee camps in Tindouf, which the Office had transmitted as a confidential document to Algeria, Morocco and the Frente Polisario on 15 September 2006. As stated in my report of October 2006 (S/2006/817, para. 47), OHCHR remains committed to treating the report as confidential.

52. During the reporting period, Moroccan media sources expressed concerns about alleged human rights abuses in the Western Saharan camps near Tindouf and highlighted the allegedly deteriorating human rights and humanitarian situation of Western Saharan refugees in the camps. In addition, I received two letters dated 3 April 2008 from the Permanent Representative of Morocco, one describing the human rights reforms that have taken place in Morocco (S/2008/221) and the other expressing Morocco's concerns about the conditions in the refugee camps near Tindouf and calling for a census of the inhabitants of the camps (S/2008/230).

53. As previously reported to the Council (see S/2006/249, para. 3 and S/2007/619, para. 53), two Moroccan policemen were sentenced in June 2007 to 10 years in prison for their involvement in the death of Hamdi Lembarki, a 24-year-old Western Saharan, in Laayoune, on 30 October 2005. On 4 March 2008, an appellate tribunal in Laayoune reduced their sentences to two years. Due to time already served, the policemen were released in the first week of March. On 8 March 2008, Mr. Abdelaziz wrote to me to protest that the early release of the policemen amounted to "an offer of impunity" by the Moroccan authorities for the actions of the policemen.

H. Administration of the Mission and security measures

54. Security work is ongoing to bring the Mission into compliance with the United Nations minimum operating security standards. Perimeter defence walls, underground shelters, observation towers, security lighting systems and boom barriers and gates have now been installed at six of the nine MINURSO team sites. It is expected that work on the three remaining team sites (Oum Dreyga, Awsard and Mahbas) will be completed by the end of the current budget year, which will bring

all nine team sites into compliance with the standards. In Laayoune, MINURSO recently reached an agreement with the local authorities who provided their full consent to the work required to bring the Mission headquarters and logistics base into MOSS compliance. The Mission has now resumed work on the necessary infrastructure and security upgrades, which includes improved access controls, perimeter fences, security lighting systems, boom barriers and protective bastions around the compound walls. I commend the positive cooperation of the local authorities in this regard.

55. Following the terrorist attacks in Algiers on 11 December 2007, a number of improvements were urgently required to bolster security at the Mission's liaison office in Tindouf. Concertina wire was installed on all perimeter walls and barrels were placed on the main road leading to the liaison office in order to create a chicane and some stand-off distance where possible. Ongoing projects include the creation of an emergency exit from the office, the construction of a new security post and the establishment of a checkpoint on the main road leading to the office in order to add an extra layer of access control to be operated by MINURSO personnel or contractors.

56. The Mission has also carried out rehabilitation and security projects on the accommodation of Mission personnel in accordance with security guidelines and in conjunction with the local authorities. In addition, the Mission has adopted a new plan in the logistics base to comply with safety and environmental standards for its fuel farms. The plan will include protective measures, including construction of concrete reservoirs around all fuel tanks in the Mission area to prevent contamination from oil spills.

57. In addition to the work on security measures, facility and infrastructure improvements are also under way and the Mission is progressing on the replacement of soft-walled structures with new hard wall units at the team sites in Oum Dreyga and Smara, with more team sites to follow. In order to ensure that the water which is supplied in bulk to the team sites is of an acceptable hygiene standard, the Mission has started installation of water purification plants at four team sites, the logistics base and the Mission headquarters. These are expected to be completed by the end of 2008. Additional work is being carried out by the Mission to adhere to environmental protection guidelines by upgrading various sanitation and waste management facilities. Work has been completed in four team sites and is in progress for all the other team sites. In addition, a plan is in place to replace the generators at the Mission headquarters with local grid transformers, where possible, to minimize environmental pollution.

58. The Mission has adopted a plan for the rehabilitation of airfields. Work is progressing at two team sites (Awsard and Mahbas), west of the berm, as they are the strategic logistical hubs for the Mission. Local material and contracted equipment are being used, and the work is being carried out by MINURSO personnel. The refurbishment of the three remaining airfields and six helipads is ongoing.

59. In its continuing effort to increase local capacity-building and in the interest of cost-saving, MINURSO has proposed that eight international posts and four United Nations Volunteer positions be converted to national posts in the 2008-2009 budget year. Also recommended is the establishment of an archiving unit consisting of one international and one national General Service staff member. The creation of this

unit will address an administrative deficiency that has affected the Mission since its inception in 1991.

I. Conduct and discipline issues

60. In its resolution 1783 (2007), the Security Council requested the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse. In the past six months, one alleged case of sexual exploitation and serious misconduct was reported, and appropriate measures were taken within the regulations to deal with the matter. A compulsory comprehensive training programme for all MINURSO personnel on the standards of conduct expected, including the prevention of sexual exploitation, abuse and harassment, was completed in December 2007 under the guidance of the Conduct and Discipline Unit. The induction programme for all new staff has also been amended to highlight the Mission's zero-tolerance policy on sexual exploitation and abuse. All MINURSO personnel have been made aware of the new zero-tolerance policy on prohibited conduct in the workplace as set out in the Secretary-General's bulletin ST/SGB/2008/5. As part of the strategy to prevent serious misconduct, many opportunities for welfare and recreation activities were provided by the Mission's welfare committee with support from MINURSO.

61. During the period under review, the issue of alleged vandalism of prehistoric Western Saharan rock art by MINURSO military observers was brought to the attention of the Mission's leadership by the Frente Polisario and European academics working in the Territory. Sites of archaeological and cultural significance near Tifariti and Agwanit, both located east of the berm, were confirmed to have been affected. In response, MINURSO took swift action to prevent such behaviour from recurring. A preliminary inquiry has already been undertaken to identify those responsible, and a formal board of inquiry has been convened to investigate further. My Special Representative visited both the damaged sites during the reporting period and initiated a series of measures to ensure that the prohibition of such misconduct will be specifically highlighted to all new and existing Mission personnel within the framework of revised induction programmes and mandatory cultural awareness training. MINURSO has also requested assistance from the United Nations Educational, Scientific and Cultural Organization to identify experts whom MINURSO can engage to assess the remedial work that needs to be undertaken to repair and conserve the rock art. Along with my Special Representative, I deeply regret that the actions of a few individuals have been the cause of such damage.

V. African Union

62. The observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to provide support and cooperation to the Mission during the period under review. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

63. The General Assembly, by its resolution 61/290 of 29 June 2007, appropriated the amount of $44.3 million for the maintenance of MINURSO for the period from 1 July 2007 to 30 June 2008. Therefore, should the Security Council approve my recommendation set out in paragraph 72 of the present report with respect to the extension of the mandate of MINURSO, the cost for the maintenance of the Mission during the extension period will be limited to the resources approved by the General Assembly.

64. As at 31 December 2007, unpaid assessed contributions to the special account for MINURSO amounted to $63.1 million. As a result of the outstanding assessed contributions, the Organization has not been in a position to reimburse the Governments providing troops since April 2002.

65. The outstanding assessed contributions for all peacekeeping operations at 31 December 2007 amounted to $2.72 billion.

VII. Observations and recommendations

66. I welcome the parties' commitment to continue the process of negotiations as stated in the final communiqué issued at their fourth round of talks held from 16 to 18 March in Manhasset, New York. However, I concur with my Personal Envoy that the momentum can only be maintained by trying to find a way out of the current political impasse through realism and a spirit of compromise from both parties. The international community will share my view that the consolidation of the status quo is not an acceptable outcome of the current process of negotiations.

67. On the basis of the fourth rounds of talks held under the auspices of the United Nations and taking into account the assessment of my Personal Envoy, I recommend that the Security Council reiterate its call upon the parties, Morocco and the Frente Polisario, to enter into a more intensive and substantive phase of negotiations. It is also my recommendation that, in doing so, the Council call upon the parties to negotiate without any precondition. My Personal Envoy has expressed his willingness to brief the parties as well as the Security Council on his assessment of the way forward.

68. I welcome the progress achieved in the clearance of mines and explosive remnants of war in Western Sahara. I commend both parties for their efforts in this regard and for their cooperation with MINURSO, and I urge them to continue working towards the goal of clearing the Territory of these hazardous weapons. As previously noted (S/2007/619, para. 64), this is a valuable contribution to the welfare of all Western Saharans and to the security of the Mission. In addition, I am encouraged by the fact that MINURSO has been able to enhance its information coordination functions and to improve the reliability of data regarding suspected hazardous areas throughout Western Sahara. These demining activities provide an opportunity for increased cooperation and confidence-building between the parties, and I would encourage both parties to work with MINURSO to establish more direct mechanisms of communication and information exchange to facilitate their work on mine clearance and other issues of common interest.

69. I am pleased to note that during the reporting period there has been a decrease in the number of reports of restrictions by the parties on the freedom of movement of MINURSO military observers. Nevertheless, I remain concerned that restrictions have continued on the movement of United Nations military observers seeking to visit the parties' units, headquarters and strong points for verification purposes. It is the responsibility of the parties to ensure that violations are not committed by their military forces, and I would encourage the parties to adhere more fully to the provisions of the military agreements and to extend their full cooperation to MINURSO in order to maintain the ceasefire and to ensure that basic peacekeeping principles are upheld.

70. I remain concerned by the humanitarian situation of the Western Saharan refugees. In this context, I am pleased that the exchanges of family visits between the Territory and the refugee camps in the Tindouf area have continued without interruption during the reporting period. I am particularly pleased that Morocco and the Frente Polisario have agreed at the talks held at Manhasset from 16 to 18 March to explore the establishment of family visits by land, in addition to the existing programme by air. This has the potential to significantly increase the number of beneficiaries able to visit their relatives from whom they have been separated for so long. However, I regret the cancellation of the planned seminar in Madeira, Portugal, and urge the parties to continue to explore ways to expand the programme of confidence-building measures. In that regard, I welcome the good cooperation that has resulted in an increase in the number of beneficiaries registered for the family visits. Given that the confidence-building programme is the one area in which visible progress has been achieved between the parties recently, that it has the potential to build trust and to help break out of the impasse in other areas and that it directly affects the quality of life of Western Saharans on a very human level, I call upon the international community to demonstrate its support for the continuation of the programme. I am deeply concerned that this valuable humanitarian initiative is at risk if additional funding is not forthcoming in the future, and I strongly urge the donor community to contribute generously to the confidence-building measures programme.

71. I would like to repeat my call to the parties (see S/2007/202, para. 52 and S/2007/619, para. 67) to remain engaged in continuous and constructive dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring respect for the human rights of the people of Western Sahara. I would like to reiterate that, although MINURSO does not have the mandate or the resources to address this issue, the United Nations remains committed to upholding international human rights standards.

72. In the existing circumstances on the ground, and in the light of my Personal Envoy's continuing efforts, I believe that the presence of MINURSO remains indispensable for the maintenance of the ceasefire in Western Sahara. Therefore, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 31 October 2008.

73. In conclusion, I wish to express my appreciation to my Personal Envoy, Peter van Walsum, for his continuing efforts in search of a solution to the question of Western Sahara. I also wish to thank my Special Representative, Julian Harston, and the Force Commander, Major General Jingmin Zhao (China), as well as the men and women of MINURSO, for their work, under difficult circumstances, to fulfil the Mission's mandate.

Annex I

[Original: English and French]

Communiqué of the Personal Envoy of the Secretary-General for Western Sahara (in agreement with the parties)

Meeting at Manhasset (Greentree Estate)

18 March 2008

Representatives of Morocco and the Frente Polisario met in Manhasset, New York, at the Greentree Estate, from 16 to 18 March 2008, in accordance with Security Council resolutions 1754 (2007) of 30 April 2007 and 1783 (2007) of 31 October 2007 on Western Sahara. As was the case in the previous rounds of talks, representatives of the neighbouring countries, Algeria and Mauritania, were also present at the opening and closing sessions and were consulted separately during the talks.

The discussions focused on the implementation of the Security Council resolutions. The parties also discussed thematic subjects such as administration, justice and resources. Among a number of proposals I made to expand confidence-building measures, there was agreement among the parties to explore the establishment of family visits by land, which would be in addition to the existing programme by air.

In concluding this fourth round of talks, the parties reiterated their commitment to continuing the negotiations at Manhasset at a date to be determined by common agreement.

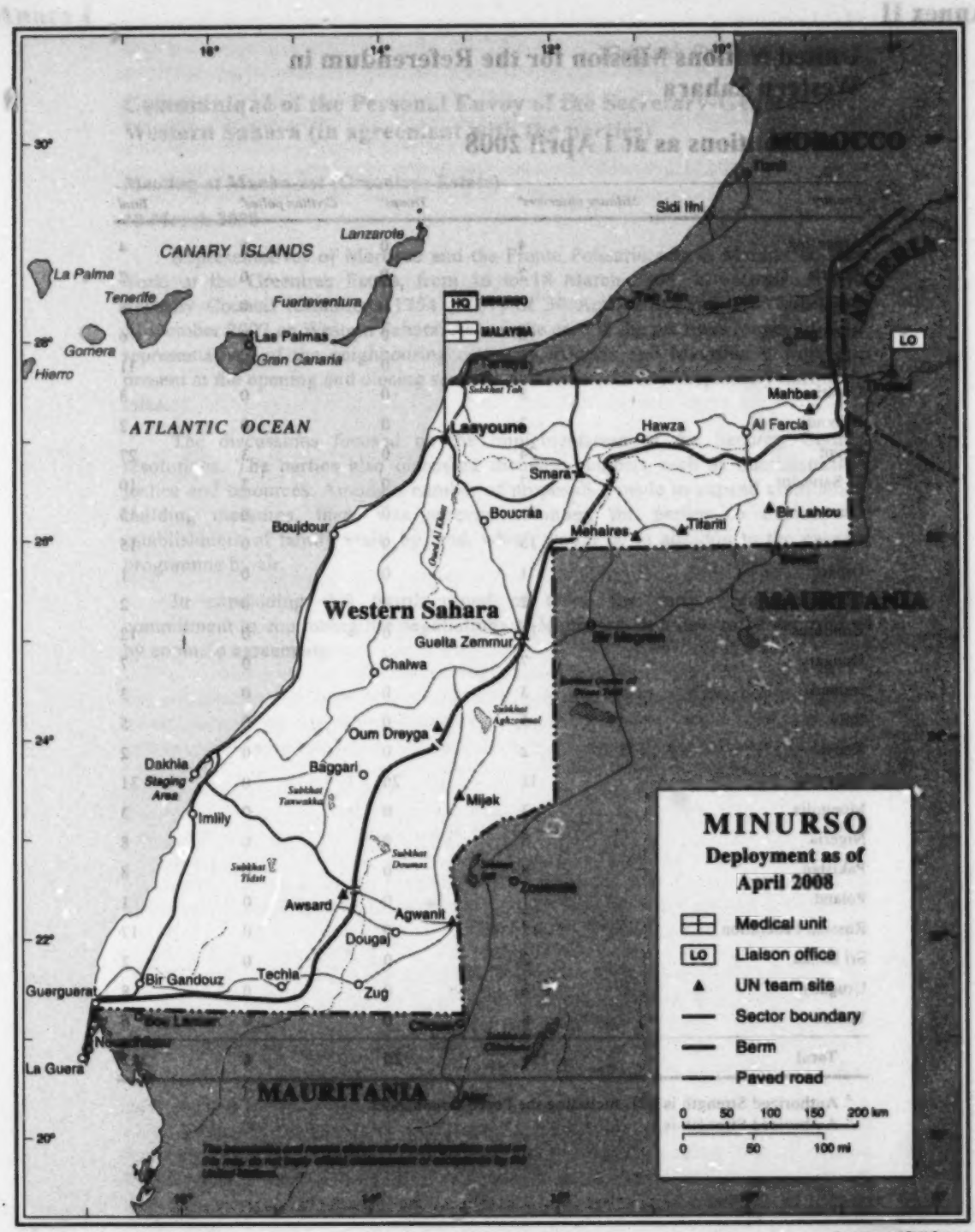
Annex II

United Nations Mission for the Referendum in Western Sahara

Contributions as at 1 April 2008

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	4	0	0	4
Austria	2	0	0	2
Bangladesh	8	0	0	8
Brazil	6	0	0	6
China	11	0	0	11
Croatia	8	0	0	8
Djibouti	2	0	0	2
Egypt	24	0	3	27
El Salvador	7	0	3	10
France	13	0	0	13
Ghana	15	0	0	15
Greece	1	0	0	1
Guinea	2	0	0	2
Honduras	12	0	0	12
Hungary	7	0	0	7
Ireland	3	0	0	3
Italy	5	0	0	5
Kenya	2	0	0	2
Malaysia	11	20	0	31
Mongolia	3	0	0	3
Nigeria	8	0	0	8
Pakistan	8	0	0	8
Poland	1	0	0	1
Russian Federation	17	0	0	17
Sri Lanka	2	0	0	2
Uruguay	8	0	0	8
Yemen	6	0	0	6
Total	**196**	**20**	**6**	**222**

[a] Authorized Strength is 231, including the Force Commander.
[b] Authorized Strength is 6.



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